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	IN THE UNITED STA	TES DISTRICT COURT	
13	FOR THE DISTRICT OF ARIZONA		
14			
15	Federal Trade Commission,	No. CV-20-0047-PHX-DWL	
16	Plaintiff,	JOINT NOTICE OF SETTLEMENT	
	V	AND REQUEST FOR ENTRY OF	
17	V.	STIPULATED ORDER AGAINST	
18	James D. Noland, Jr., et al.,	CORPORATE DEFENDANTS	
19	Defendants.		
20	Durguent to the Court's August 0 20	22 Order (Dog. 586) Plaintiff Federal Trade	
21	Pursuant to the Court's August 9, 2023 Order (Doc. 586), Plaintiff Federal Trade		
22	Commission and Defendants Success By Media Holdings Inc., Success By Media LLC,		
23	and Enhanced Capital Funding (collectively, the "Settling Parties") hereby give the Court		
24	notice they have reached a settlement. Attached for review and entry by the Court is a		
25	Stipulated Order of Permanent Injunction and Monetary Judgement as to Success By		
26	Media Holdings Inc., Success By Media LLC, and Enhanced Capital Funding		
27	(collectively, the "Corporate Defendants"). The Settling Parties respectfully request the		
28	Court enter the proposed Stipulated Order.		

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Following the trial involving the Individual Defendants and the Court's post-trial orders (Doc. 579, 582), the FTC negotiated with the Receiver for the Corporate Defendants for relief that mirrors the terms proposed for the Individual Defendants (*see* Doc. 583-1). The attached Stipulated Order will resolve all outstanding claims against the Corporate Defendants. This approach is consistent with the Preliminary Injunction (Doc. 109) because, as the Court has noted, after appointment of a Receiver, the "corporation's management loses the power to run its affairs and the receiver obtains all of the corporation's power and assets." (Doc. 168 at 8-9.) Additionally, the result is not inequitable because the Individual Defendants already had a full opportunity, at trial, to contest the Corporate Defendants' liability and the appropriate monetary remedy for Corporate Defendants' violations.

The FTC also respectfully requests that upon entry of the attached Stipulated Order, the Court enter the FTC's proposed Final Order as to the Individual Defendants. (Doc. 583-1; *see also* Docs. 581, 583.)

* * *

Case 2:20-cv-00047-DWL Document 587 Filed 08/22/23 Page 3 of 3

1	Dated: August 22, 2023	Respectfully submitted,
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